

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

Clerk's Office
U. S. District Court

FILED
03/09/2020

Julia C. Dudley, Clerk
By: /s/ Susan Moody
Deputy Clerk

SOUTHERN ENVIRONMENTAL LAW
CENTER,

Plaintiff,

v.

COUNCIL ON ENVIRONMENTAL
QUALITY,

Defendant.

Civil Action No. 3:18CV00113

ORDER

By: Hon. Glen E. Conrad
Senior United States District Judge

The court conducted a hearing earlier today on Plaintiff's motion for a preliminary injunction. For the reasons stated in open court, which will be amplified in a memorandum opinion to be issued forthwith, it is now

ORDERED

as follows:

1. Plaintiff's motion for a preliminary injunction, ECF No. 27, shall be **GRANTED IN PART** and **DENIED IN PART**;
2. To the extent that the motion seeks to enjoin the closing of the notice and comment period for the rulemaking at issue in this case, the motion shall be and hereby is **DENIED**. To the extent that the motion seeks to require the Defendant to produce all remaining documents responsive to the outstanding FOIA requests prior to the close of the notice and comment period, the motion shall be and hereby is **DENIED**;
3. To the extent that the motion seeks an order setting forth an accelerated schedule for the completion of Defendant's response to the FOIA requests at issue, the motion shall be and hereby is **GRANTED**. If the parties are able to agree to a date

by which Defendant's response shall be completed, they shall inform the court by a joint motion filed on or before March 12, 2020. If the parties are unable to agree, the court will establish a completion date at the time of the issuance of the memorandum opinion referenced above; and

4. On or before March 16, 2020, the parties shall, either separately or jointly, advise the court of the names and addresses of responsible individuals who may be directed to appear before the court and give cause in the event that the Defendant is unable to complete its response to Plaintiff's FOIA requests by the above-mentioned date.

The Clerk is directed to send copies of this order to all counsel of record.

DATED: This 9th day of March, 2020.



Senior United States District Judge